

Customer No.: 31561
Application No.: 10/710,785
Docket No.: 12432-US-PA

REMARKS

Applicants submit that claim 5 has been amended as instructed by the Examiner, in which the word "layer" that is apparently missed is inserted as it should, while no new matter entered thereby.

Claim Objections

Claim 5 is objected because of informalities indicated by the Examiner.

Applicants submit that appropriate correction has been made as instructed by the Examiner, and therefore claim 5 is submitted to be in allowable form.

Claim Rejections – 35 USC § 102

The Office Action rejected claims 1, 4, 6, and 9 under 35 U.S.C.102 (b) as being anticipated by Fujimori et al (US Pub 2002/0102754).

Responsive to the rejections thereto, Applicants hereby otherwise traverses these rejections. As such, Applicants submit that claims 1, 4, 6, and 9 are novel and unobvious over Fujimori, or any of the other cited references, taken alone or in combination, and should be allowed.

Independent 1, as originally filed:

Claim 1. A method for fabricating a thin film of an organic electroluminescent device, adapted to form a patterned thin film layer on a substrate, the method comprising: providing a mask;

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aligning the substrate and the mask *under non-vacuum environment, fastening the mask with the substrate; and*
transferring the fastened substrate and mask into vacuum environment, forming the patterned thin film layer by the mask.

Applicant submit that the present method, as set forth in claim 1, as originally filed, is neither taught, disclosed nor suggested by Fujimori et al., or any of the other cited references, taken alone or in combination.

It has been held for long that "to anticipate a claim, the reference must teach every element of the claim" as set forth in MPEP §2131.01 and case laws cited theroat. It is also further specified that "[T]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F. 2d 1226, 1236, 9 USPQ2d 1913, 1920 9Fed. Cir. 1989).

Relying on the foregoing rules and case law, Applicants submit that Fujimori et al. fails to teach, disclose, or suggest every element of claim 1, and does not show complete detail as is contained in the claimed invention, as set forth in claim 1.

Fujimori et al. fails to teach, disclose, or suggest the steps of "aligning the substrate and the mask **under non-vacuum environment, fastening the mask with the substrate**" and "transferring the fastened substrate and mask into vacuum environment" (Emphasis added). In rejecting claim 1 addressing this specified step, the Examiner cited Figs. 9A-9C, and paragraph 0079 as evidence proving the anticipation. However, in paragraph 0079, such a step did not really presented in complete detail as is contained in claim 1.

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Referring to Figs. 9A-9C of Fujimore et al., it can be understood from paragraph 0079 that the substrate A and the mask 1 are firstly aligned in the non-vacuumed positioning apparatus 700; then "the substrate-mask unit 820, in which the substrate A is placed on the integrated mask 1, is carried from the substrate holder 706 to the pad 608 of the transfer apparatus 600 ... the shutter 810 of the deposition apparatus 802 is opened and the substrate-mask unit 820 is placed on the holder 804"; thirdly "A is pressed against the integrated mask 1 at a predetermined force"; and finally the vacuum pump is driven such that the degree of vacuum in the vacuum chamber is adjusted to a predetermined value" (Emphasis added; paragraph 0079).

As discussed above, Fujimori et al, teaches transferring "the substrate-mask unit 820, in which the substrate A is placed on the integrated mask 1" rather than "fastened substrate and mask". Although Fujimori et al., later teaches a step of "pressing A against the integrated mask 1 at a predetermined force, this teaching does not deem an identical invention as set forth in claim 1. Further, Fujimori et al, fails to teach, disclose or suggest "transferring ... into vacuum environment" (Emphasis added). As illustrated in paragraph 0079, when transferring the substrate-mask unit 820 from the positioning apparatus 700 to the deposition apparatus 802, the deposition apparatus 802 is not yet be vacuumed. This can be concluded by the description of Fujimori et al, in that "the shutter 810 of the deposition apparatus 802 is opened and the substrate-mask unit 820 is placed on the holder 804", and after the substrate A is pressed against the integrated mask 1, "the shutter 810 is closed, and the vacuum pump is driven such that ...".

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Accordingly, Fujimori et al., fails to teach to teach the step "transferring the fastened substrate and mask into vacuum environment" as set forth in claim 1. As such, claim 1 and its dependent claim 4 are submitted to be novel and unobvious over Fujimori et al., or any of the other cited references, taken alone or in combination, and thus should be allowed.

With respect to independent claim 6, as originally filed:

Claim 6. A method for fabricating a thin film of an organic electroluminescent device, adapted to form a patterned thin film layer on a substrate, the method comprising:
providing a film-forming apparatus, comprising at least one vacuum chamber and at least one non-vacuum chamber;
aligning the substrate and the mask *in the non-vacuum chamber, fastening the mask with the substrate*; and
transferring the fastened substrate and mask into the vacuum chamber, forming the patterned thin film layer by the mask.

For similar reason discussed above addressing the patentability of claim 1, claim 6 containing similar allowable subject matter, is also submitted to be patentable over Fujimori et al. Accordingly, independent claim 6 and its dependent claim 9 are submitted to be novel and unobvious over Fujimori, or any of the other cited references, taken alone or in combination, and thus should be allowed.

Claim Rejections – 35 USC § 103

The Office Action rejected claims 3 and 8 under 35 U.S.C.103(a) as being unpatentable over Fujimori et al. (U.S. 2002/0102754) in view of Boroson et al. (US 2004/0206307).

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If independent claim 1 is allowable over the prior art of record, then its dependent claim 3 are allowable as a matter of law.

If independent claim 6 is allowable over the prior art of record, then its dependent claim 8 is allowable as a matter of law.

The Office Action rejected claims 5 and 10 under 35 U.S.C.103(a) as unpatentable over Fujimori et al. (U.S. 2002/0102754) in view of Applicant's Admitted Prior Art (APA).

If independent claim 1 is allowable over the prior art of record, then its dependent claims 5 is allowable as a matter of law.

If independent claim 6 is allowable over the prior art of record, then its dependent claims 10 is allowable as a matter of law.


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CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1, 3-6, and 8-10 are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,


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